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**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

In re:

PG&E CORPORATION

-and-

**PACIFIC GAS AND ELECTRIC
COMPANY,**

Debtors.

Case No. 19-30088 (DM)

Chapter 11

(Lead Case)

(Jointly Administered)

District Case No. 20-01493 (HSG)

- ☐ Affects PG&E Corporation
☐ Affects Pacific Gas and Electric Company
☒ Affects both Debtors

** All papers shall be filed in the Lead Case,
No. 19-30088 (DM)*

**OFFICIAL COMMITTEE OF
UNSECURED CREDITORS'
STATEMENT OF ISSUES,
DESIGNATION OF RECORD, AND
CERTIFICATION REGARDING
TRANSCRIPTS FOR APPEAL OF
ORDERS REGARDING
POSTPETITION INTEREST**

1 Appellant, the Official Committee of Unsecured Creditors (the “Creditors’ Committee”)
2 appointed in the above-captioned bankruptcy cases, hereby submits this statement of issues and
3 designation of items to be included in the record in connection with its appeal from (i) the
4 *Interlocutory Order Regarding Postpetition Interest*, entered on February 6, 2020 [Docket No.
5 5669], and (ii) the *Memorandum Decision Regarding Postpetition Interest*, entered on December
6 30, 2019 [Docket No. 5226] (together, the “PPI Orders”), by the United States Bankruptcy Court
7 for the Northern District of California (the “Bankruptcy Court”).

8 As stated in its cross-motion for leave to appeal [Docket No. 6101], the Creditors’
9 Committee submits that, should the United States District Court for the Northern District of
10 California (the “District Court”) grant leave to appeal the PPI Orders or determine the PPI Orders
11 are appealable as of right, the Creditors’ Committee should be granted leave to participate in the
12 resulting appeal, consistent with its participation in the proceedings before the Bankruptcy Court,
13 to represent the interests of its constituency. Although the District Court has not yet ruled on the
14 appealability of the PPI Orders, out of an abundance of caution, the Creditors’ Committee submits
15 this statement, designation, and certification under Federal Rule of Bankruptcy Procedure 8009(a).

16 **STATEMENT OF ISSUE ON APPEAL**

17 The issue on appeal is whether the Bankruptcy Court erred in holding that, in a chapter 11
18 bankruptcy case of a solvent debtor, the debtor may pay unsecured creditors postpetition interest
19 on their claims at the federal judgment rate while purporting to unimpaired them under the plan of
20 reorganization.

21 **DESIGNATION OF RECORD ON APPEAL**

22 Appellant incorporates by reference those items designated for inclusion in the record on
23 appeal by (i) Appellant the Ad Hoc Committee of Holders of Trade Claims, on March 5, 2020
24 [Docket No. 6126], and (ii) Appellee the Debtors, on March 19, 2020 [Docket No. 6370].
25 Appellant reserves the right to designate additional items for inclusion in the record and/or restate
26 issues presented on appeal.

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DATED: March 19, 2020

MILBANK LLP

/s/ Gregory A. Bray
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